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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,464	08/15/2001	Loic Ollivier	Q65563	2414

7590 04/22/2004
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Washington, DC 20037-3213

EXAMINER

UBILES, MARIE C

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/913,464

Applicant(s)

OLLIVIER ET AL.

Examiner

Marie C. Ubiles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on February 11, 2004 has been entered. Claims 1-6 have been amended. No claims have been cancelled. No claims have been added. Claims 1-6 are still pending in this application, with claim 1 being independent.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandler et al. (US 5,983,117).

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As for claims 1 and 2, Sandler et al. discloses a mobile switch center (i.e. local exchange) configured to identify a set up message sent by a subscriber unit (See *Fig 1, elements 120, 111-113*) (i.e. a telephone subscriber terminal unit) and upon receiving such a set up message the mobile switch center collects and analyzes digits sent by a subscriber unit on a digit by digit basis in order to provide a service feature (i.e. a method of transmitting information to a telephone subscriber terminal unit from a local exchange of a telephone network)(See *Abstract, lines 13-17*), wherein a standard telephone or other devices connects to the subscriber unit via a standard 2-wire analog telephony "tip and ring" interface and the BTS 131 of the mobile switching center communicates analog voiceband signals to a cellular radio transceiver (i.e. the telephone subscriber terminal is connected via at least one analog telephone line)(See *Fig 1, elements 120, 111-113 and Detailed Description, Col. 6, lines 23-26 and Col. 5, lines 50-67*); wherein when a DTMF-generated setup or origination is received by the mobile switching center from the subscriber unit and after all digits are analyzed by the mobile switching center the requested service is provided to the subscriber unit (i.e. the commands or information messages are transmitted to the telephone subscriber terminal unit from the local exchange in response to a service request from the telephone terminal subscriber unit)(See *Detailed Description, Col. 8, lines 30-35 and Col. 9, lines 26-31*); the command or information messages needed to activate the requested feature are send from the mobile switching center into the subscriber unit in conjunction with speech and signaling via the analog line (as seen on *Fig. 1, elements 128-128*)(i.e. transmitting the command or information messages from the local

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exchange to the telephone subscriber terminal unit, in addition to sending speech signals and telephone signaling via the analog telephone line)(See *Detailed Description, Col. 9, lines 26-31*).

While not directly disclosed by Sandler et al., it would have been obvious to say that the mobile switching center would have to generate and encode the command and information messages after the request of a feature by the subscriber unit so that the feature can be activated (i.e. generating and encoding command or information messages at the local exchange).

Sandler et al. points out "After the routing message is sent to the MSC by the SU, it is advantageous to provide an audible indication (e.g. dial tone) to the user in order to prompt the user to enter...a feature activation code" (See *Detailed Description, Col. 3, lines 43-46*). The use of an audible indication can read into "speech messages".

It can be seen from Sandler et al. teachings that an audible indication can be provided to the telephone subscriber terminal unit when trying to activate a feature, it is well known in the art that such an indication can be provided to the user when the feature is activated so that a user is aware of completion of his/her request (i.e. receiving the command or information messages at the telephone subscriber terminal unit, and decoding and interpreting the command or information messages in information processing means of the telephone subscriber terminal unit in order to output the command or information messages as speech messages at the telephone subscriber terminal unit).

As for claim 3, it would have been obvious to say that the information or command message would be temporarily stored at the terminal subscriber unit, as these devices possess memories capable of such task.

As for claim 4, the mobile switching unit is sending a requested service activation message (as read on "the MSC... activates the feature/service requested")(i.e. the command or information messages are command transmission messages)(See *Detailed Description, Col. 9, lines 50-51*).

Claims 5-6 are rejected for the same reasons as claims 1-4.

Response to Arguments

3. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dlugos et al. (US 6,463,133) teaches a method and apparatus for telecommunications signal routing and data management.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie C. Ubiles whose telephone number is (703) 305-0684. The examiner can normally be reached on 8am-5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7201.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Marie C. Ubiles
April 7, 2004.


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600